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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHELE SANTOPIETRO, an Individual,

Plaintiff,

Case No.: 2:12-cv-01648-JCM-EJY

vs.

LAS VEGAS POLICE DEPARTMENT
OFFICERS C. HOWELL (BADGE 9634), F.
LOPEZ-ROSENDE (BADGE 8864), AND
CRAWFORD (BADGE 10050),

Defendant.

JOINT MOTION TO EXTEND TIME TO FILE JOINT PRE-TRIAL ORDER

(THIRD REQUEST)

The Parties, by and through their respective counsel, jointly move to modestly extend the deadline to file a joint pretrial order pursuant to the Court's April 5, 2024 Order [ECF No. 89] from Wednesday, April 10, 2024 to and including Wednesday, April 24, 2024. This Motion is based upon the Memorandum of Points and Authorities below, the papers on file, and any oral argument that the court chooses to hear.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Pursuant to the Court's April 5, 2024 Order [ECF No. 89], the current deadline to file a joint pretrial order is April 10, 2024. The Parties seek additional time of two additional weeks to prepare the joint pretrial order up to and including April 24, 2024. This request is supported by good cause and is not for the purpose of delay.

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II. ARGUMENT

The decision to grant an extension or continuance is within the sound discretion of the trial court. *F.T.C. v. Gill*, 265 F.3d 944, 954-55 (9th Cir. 2001). Federal Rule of Civil Procedure 6(b)(1) provides that when an act must be done within a specified time, the Court “may, for good cause, extend the time . . . with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires” This Court should grant the Parties’ Motion because their request is reasonable and supported by good cause.

Defendants’ counsel is traveling for work today, April 10, and was unable to complete the work before departing on a flight. In addition, Defendants’ counsel has been attending to a significant closing arbitration brief which has occupied more time than expected to complete.

As prior requests filed by Plaintiff’s counsel averred, both Counsel have been working cooperatively and amicably on the Joint Pretrial Order. Because this is the Parties’ third request – this time prompted by the needs and limitations of Defendants’ counsel – the Parties represent the following more specific reasons and good cause in support of this request.

First, Counsel have agreed on several available trial dates. Those are September 3, September 23, November 18, and December 9.

Second, Counsel have discussed and made progress in potentially narrowing the claims, of which there are currently eleven.

Third, the requested additional time will allow Counsel to maximize agreement as to stipulated facts and evidence, narrowing the issues for the Court to eventually decide.

Fourth, given the age of this case, Counsel are cooperating in determining the availability and location of witnesses.

Fifth, Counsel have engaged in meaningful discussions concerning settlement potential and, concurrently with completing the Joint Pretrial Order, will continue exploring settlement.

The requested extension will not affect any other deadlines or hearings, as no other deadlines or hearings have been set.

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1 **III. CONCLUSION**

2 The Parties make this request in good faith and not to delay these proceedings. Therefore,
3 the Parties respectfully request that the Court grant this Motion, and allow the Parties until April
4 24, 2024, in which to file a joint pretrial order. The length of the extension is to ensure that no
5 further requests will be needed.

6 Dated this 10th day of April, 2024.

7 MARQUIS AURBACH

SNELL & WILMER L.L.P.

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By: /s/ Kelly H. Dove
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13 **ORDER**

14 IT IS SO ORDERED:

15 Dated: April 10, 2024.

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18 _____
19 U.S. District Court Judge

20 4865-9977-2342

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